

## **NSPIRE ADMINISTRATIVE PLAN REVISION DRAFT: SMOKE ALARMS & CARBON MONOXIDE DETECTORS**

- **SMOKE ALARMS:** PHA NOTICE 2024-26, REV-1 [88 FR 40832]
- **CARBON MONOXIDE DETECTION:** PHA NOTICE 2024-26, REV-1; PHA NOTICE 2022-01 [88 FR 40832]

**Summary:** The National Standards for the Physical Inspection of Real Estate (NSPIRE) Administrative Procedures for the Housing Choice Voucher (HCV) program require compliance with the NSPIRE standards for carbon monoxide detectors and smoke alarms as they implement statutory mandates required by Congress. The carbon monoxide detectors requirement took effect and became an inspectable item on December 27, 2022.

PHAs may directly follow the NSPIRE Carbon Monoxide standard or see Notice PIH 2022-01 for additional guidance on this requirement. For smoke alarms, PHAs are already required to comply with the Federal Fire Safety Act of 1992 and keep their HQS inspections current with the National Fire Protection Association (NFPA) Standards, currently NFPA 72. Additional changes will take effect on December 29, 2024, requiring all smoke alarms be either hard wired or sealed, 10-year battery devices. The NSPIRE Smoke Alarm standard reflects current NFPA 72 and will be updated with the additional mandates by the statutory compliance date.

### **CHAPTERS REVISED**

- Chapter 8 Introduction.....p.1
- Chapter 8 General HUD Requirements..... pp. 2-3
- Chapter 8 Overview of HUD Housing Quality Standards..... pp. 19-21

*\*Note: Due to the nature and extension of HUD NSPIRE Standards, further revisions may need to be made.*

## Chapter 8

### HOUSING QUALITY STANDARDS, NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF REAL ESTATE (NSPIRE), AND RENT REASONABLENESS DETERMINATIONS

[24 CFR 982 Subpart I, 24 CFR 982.507, 24 CFR 5.701 Subpart G]

#### INTRODUCTION

HUD requires that all units occupied by families receiving Housing Choice Voucher (HCV) assistance meet HUD's Housing Quality Standards (HQS) (and as of October 1, 2025) The National Standard for the Physical Inspection of Real Estate (NSPIRE), both of which permit LMHA to establish additional requirements. The use of the term "HQS" and "NSPIRE" in this plan refers to the combination of both HUD and LMHA-established requirements. HQS/NSPIRE inspections are required before the Housing Assistance Payments (HAP) Contract is signed and at least biennially during the term of the contract.

\*Note: PIH NOTICE 2024-26, REV-1 provides that in accordance with Federal Register Notice, 89 FR 55645, "Economic Growth Regulatory Relief and Consumer Protection Act: Implementation of National Standards for the Physical Inspection of Real Estate (NSPIRE); Extension of NSPIRE Compliance Date for HCV, PBV and Section 8 Moderate Rehab and CPD Programs," PHAs may continue using HQS, as previously defined in 24 CFR 982.401, or other HUD-approved inspection methods as their inspection standards for up to one additional year, or until October 1, 2025. PHAs are still highly encouraged to implement NSPIRE as soon as feasible any time after October 1, 2023, but must be in compliance with NSPIRE Standards no later than October 1, 2025.

HUD also requires LMHA to determine that units rented by families assisted under the HCV program have rents that are reasonable when compared to comparable unassisted units in the market area.

This chapter explains HUD and LMHA requirements related to housing quality and rent reasonableness as follows:

Part I. Physical Standards. This part discusses the physical standards required of units occupied by HCV-assisted families and identifies decisions about the acceptability of the unit that may be made by the family based upon the family's preference. It also identifies life-threatening conditions that must be addressed on an expedited basis.

Part II. The Inspection Process. This part describes the types of inspections LMHA will make and the steps that will be taken when units do not meet HQS.

Part III. Rent Reasonableness Determinations. This part discusses the policies LMHA will use to make rent reasonableness determinations.

Special HQS/NSPIRE requirements for homeownership, manufactured homes, and other special housing types are discussed in Chapter 15 to the extent that they apply in this jurisdiction.

## PART I: PHYSICAL STANDARDS

### 8-I.A. GENERAL HUD REQUIREMENTS HUD

#### Performance and Acceptability Standards

HUD's performance and acceptability standards for HCV-assisted housing are provided in 24 CFR 982.401. These standards cover the following areas:

- Sanitary facilities
- Food preparation and refuse disposal
- Space and Security
- Thermal Environment
- Illumination and electricity
- Structure and materials
- Interior Air Quality
- Water Supply
- Lead-based paint
- Access
- Site and neighborhood
- Sanitary condition
- Smoke Detectors
- **Carbon Monoxide Detection**

A summary of HUD performance criteria is provided in Exhibit 8-1. Additional guidance on these requirements is found in the following HUD resources:

- Housing Choice Voucher Guidebook, Chapter 10.
- HUD Housing Inspection Manual for Section 8 Housing
- HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD-52580-A (9/00)  
*\*Note: For inspections conducted on and after the implementation of NSPIRE, PIH Notice 2024-26, REV-1 replaces all HQS guidance previously issued by HUD, including the *Housing Inspection Manual for the Section 8 Existing Housing Program, Chapter 10: Housing Quality Standards* of the 2001 Housing Choice Voucher Program Guidebook4, and HUD forms 52580 and 52580-A. HUD will issue updates to HCV guidance materials for NSPIRE later this year.*
- HUD Notice 2003-31, Accessibility Notice: Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Architectural Barriers Act of 1968 and the Fair Housing Act of 1988.

#### Tenant Preference Items

HUD requires LMHA to enforce minimum HQS/**NSPIRE** but also requires that certain judgments about acceptability be left to the family. For example, LMHA must ensure that the unit contains the required sanitary

facilities, but the family decides whether the cosmetic condition of the facilities is acceptable. Exhibit 8-2 summarizes those items that are considered tenant preferences

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**EXHIBIT 8-1: OVERVIEW OF HUD HOUSING QUALITY STANDARDS  
AND NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF  
REAL ESTATE (NSPIRE) PROCEDURES**

Note: This document provides an overview of HQS and NSPIRE. For more detailed information see the following documents:

- 24 CFR 982.401, Housing Quality Standards (HQS)  
Note: PHAs may continue using HQS, as previously defined in 24 CFR 982.401, or other HUD-approved inspection methods as their inspection standards for up to one additional year, or until October 1, 2025. (PIH NOTICE 2024-26 Rev.1)
- 24 CFR 5.703;5.709 National Standards for the Physical Inspection of Real Estate (NSPIRE)
- Housing Choice Voucher Guidebook, Chapter 10.
- HUD Housing Inspection Manual for Section 8 Housing
- HUD Inspection Form, form HUD-52580 (3/01) and Inspection Checklist, form HUD-52580-A (9/00)

### **Sanitary Facilities**

The dwelling unit must include sanitary facilities within the unit. The sanitary facilities must be usable in privacy and must be in proper operating condition and adequate for personal cleanliness and disposal of human waste.

### **Food Preparation and Refuse Disposal**

The dwelling unit must have space and equipment suitable for the family to store, prepare, and serve food in a sanitary manner.

### **Space and Security**

The dwelling unit must provide adequate space and security for the family. This includes having at least one bedroom or living/sleeping room for each two persons.

### **Thermal Environment**

The unit must have a safe system for heating the dwelling unit. Air conditioning is not required but if provided must be in proper operating condition. The dwelling unit must not contain unvented room heaters that burn gas, oil, or kerosene. Portable electric room heaters or kitchen stoves with built-in heating units are not acceptable as a primary source of heat for units located in climatic areas where permanent heat systems are required.

### **Illumination and Electricity**

Each room must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of occupants. The dwelling unit must have sufficient electrical sources so occupants can use essential electrical appliances. Minimum standards are set for different types of rooms. Once the minimum standards are met, the number, type and location of electrical sources are a matter of tenant preference.

### **Structure and Materials**

The dwelling unit must be structurally sound. Handrails are required when four or more steps (risers) are present, and protective railings are required when porches, balconies, and stoops are thirty inches or more

off the ground. The elevator servicing the unit must be working [if there is one]. Manufactured homes must have proper tie-down devices capable of surviving wind loads common to the area.

### **Interior Air Quality**

The dwelling unit must be free of air pollutant levels that threaten the occupants' health. There must be adequate air circulation in the dwelling unit. Bathroom areas must have one window that opens or other adequate ventilation. Any sleeping room must have at least one window. If a window was designed to be opened, it must be in proper working order.

### **Water Supply**

The dwelling unit must be served by an approved public or private water supply that is sanitary and free from contamination. Plumbing fixtures and pipes must be free of leaks and threats to health and safety.

### **Lead-Based Paint**

Lead-based paint requirements apply to dwelling units built prior to 1978 that are occupied or can be occupied by families with children under six years of age, excluding zero-bedroom dwellings. Owners must:

- Disclose known lead-based paint hazards to prospective tenants before the lease is signed,
- provide all prospective families with "Protect Your Family from Lead in Your Home",
- Stabilize deteriorated painted surfaces and conduct hazard reduction activities when identified by LMHA
- Notify tenants each time such an activity is performed
- Conduct all work in accordance with HUD safe practices
- As part of ongoing maintenance ask each family to report deteriorated paint.

For units occupied by environmental intervention blood lead level (lead poisoned) children under six years of age, a risk assessment must be conducted (paid for by LMHA). If lead hazards are identified during the risk assessment, the owner must complete hazard reduction activities.

See HCV GB p. 10-15 for a detailed description of these requirements. For additional information on lead-based paint requirements see 24 CFR 35, Subparts A, B, M, and R.

### **Access**

Use and maintenance of the unit must be possible without unauthorized use of other private properties. The building must provide an alternate means of exit in case of fire.

### **Site and Neighborhood**

The site and neighborhood must be reasonably free from disturbing noises and reverberations, excessive trash or vermin, or other dangers to the health, safety, and general welfare of the occupants.

### **Sanitary Condition**

The dwelling unit and its equipment must be in sanitary condition and free of vermin and rodent infestation. The unit must have adequate barriers to prevent infestation.

### Smoke Detectors (NSPIRE Effective December 29, 2024)

Smoke detectors must be installed in accordance with and meet the requirements of the National Fire Protection Association Standard (NFPA) 74 72 (or its successor standards) which require all smoke alarms be either hard wired or sealed, 10-year battery devices. If the dwelling unit is occupied by any person with a hearing impairment, smoke detectors must have an appropriate alarm system as specified in NFPA 74 72 (or successor standards). PHA NOTICE 2024-26, REV-1

### Carbon Monoxide Detectors (NSPIRE Effective December 27, 2022)

PIH Notices 2019-06;2022-01 remind owners, managers, and agents of certain HUD-assisted housing to have operational carbon monoxide (CO) detectors, where specified, as required by the state or local law, code, or other regulation. The programs covered are the Public Housing, Section 8 Project-Based Rental Assistance, Housing Choice Voucher (tenant-based or project-based), Section 202 (Supportive Housing for the Elderly), Section 811 (Supportive Housing for Persons with Disabilities), and tribal programs administered by the Office of Native American Programs (ONAP).

Where required by the International Fire Code (IFC) Carbon monoxide detection shall be installed in the locations specified in Sections 915.2.1 (dwelling units) and 915.2.2 (sleeping units) as follows:

**Dwelling Units:** Carbon monoxide detection shall be installed in dwelling units outside of each separate sleeping area in the immediate vicinity of the sleeping unit where the sleeping unit or its attached bathroom does not contain a fuel-burning appliance and is not served by a forced air furnace.

**Sleeping Units:** Carbon monoxide detection shall be installed in sleeping units.

**Exception:** Carbon monoxide detection shall be allowed to be installed outside each separate sleeping area in the immediate vicinity of the sleeping unit where the sleeping unit or its attached bathroom does not contain a fuel-burning appliance and is not served by a forced-air furnace.

<https://codes.iccsafe.org/content/IFC2021P1/chapter-9-fire-protection-and-life-safety-systems>

### Hazards and Health/Safety

The unit, interior and exterior common areas accessible to the family, the site, and the surrounding neighborhood must be free of hazards to the family's health and safety.